

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**JANICE SCOTT,**

**Plaintiff,**

**vs.**

**THE CHARTER OAK FIRE  
INSURANCE COMPANY,**

**Defendant.**

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**CIVIL ACTION FILE NO.:  
1:20-cv-4420-TWT**

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW, The Charter Oak Fire Insurance Company (“Charter Oak”), and pursuant to Rule 56 of the Federal Rules of Civil Procedures and files this Motion for Summary Judgment requesting this Court grant judgment in its favor on the grounds that no genuine issues of material fact remain regarding Counts I and V of Plaintiff’s Complaint, which are the only Counts that remain in this case.

This Motion is based on the following:

- (1) All pleadings, discovery papers and evidentiary materials filed with the Court of Court, and therefore properly before the Court at the time of its consideration of this Motion;

- (2) Statement of Material Facts as to Which There Exists No Genuine Issue to be Tried (pursuant to Rule 56 of the Federal Rule of Civil Procedure) filed contemporaneously herewith;
- (4) Memorandum in Support filed contemporaneously herewith;
- (5) Exhibit A – Transcript of Deposition of Janice Scott and Exhibit 1, P. 1 and Exhibit 2 attached thereto;
- (8) Exhibit B – Affidavit of Craig Hite;
- (10) Exhibit C – Affidavit of Jeffrey Teitelbaum and Exhibits attached thereto; and
- (11) Exhibit D – Affidavit of Michael Cannon and Exhibit attached thereto.

Respectfully submitted this 27th day of October, 2021.

DREW ECKL & FARNHAM, LLP

/s/ Karen K. Karabinos

Karen K. Karabinos  
Georgia Bar No. 423906

/s/ Mary Alice L. Jasperse

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this date served a copy of **DEFENDANT THE CHARTER OAK INSURANCE COMPANY'S MOTION FOR SUMMARY JUDGMENT** on Plaintiff, by filing it electronically with the Clerk of Court which will send notification of such filing to the below registered counsel electronically:

**Alexander Gray Hait**  
**North Metro Litigators**  
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**Ralph J. Villani**  
**Villani Law Firm**  
**821 Dawsonville Hwy, Suite 250-333**  
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This 27th day of October 2021.

DREW, ECKL & FARNHAM, LLP

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